

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-00064**

JOY NEWSOME,

Plaintiff,

vs.

**THOMPSON CHILD & FAMILY
FOCUS; KRIS PARKER,**

Defendants.

ORDER

THIS MATTER comes before the Court upon Defendants' Motion to Dismiss and Memorandum in Support thereof. [D.I. 41, 42]. The Plaintiff did not file a brief in response and this matter is now ripe for determination.

On October 5, 2011, this Court ordered that the Plaintiff shall respond to Defendants' First Set of Discovery by November 30, 2011 [D.I. 36] and that the Plaintiff shall attend, and provide testimony at, a rescheduled deposition on or before December 15, 2011 [D.I. 37]. It is evident to this Court that Plaintiff failed to comply with the terms of the October 5 Orders.

Having considered both the Plaintiff's failure to comply with the October 5 Orders and Defendants' Motion to Dismiss, this Court hereby **ORDERS** that Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Signed: December 20, 2011



Graham C. Mullen
United States District Judge

